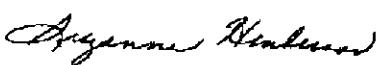


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Official Public Records



Suzanne Henderson

Tarrant County Texas

2008 Oct 06 03:19 PM

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2 Pages

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER

**AMENDED LEGAL DESCRIPTION OF OIL, GAS AND MINERAL LEASE AND  
AMENDMENT OF OIL, GAS AND MINERAL LEASE**

STATE OF TEXAS      }  
COUNTY OF TARRANT }

WHEREAS, Patricia Marie Baines, (referred to herein as "Lessor") executed an Oil, Gas and Mineral Lease, dated May 14, 2004, in favor of ADEXCO PRODUCTION COMPANY, which is recorded as Document No. D204226952 in the Official Public Records of Tarrant County, Texas, (the "Lease"), whereby Lessor leased the following described property situated in Tarrant County, Texas,

**5.031 acres** of land, more or less, out of Two Tracts in the D. H. Smith Survey, A-1488

Tract 1: 2.407 acres of land, more or less, out of the D. H. Smith Survey, A-1488, Tarrant County, Texas and being the same land described in a Special Warranty Deed dated January 31, 2002 from Edward N. Gilder, as his sole and separate property to Patricia Marie Baines and recorded in Volume 15665, Page 438, Official Public Records of Tarrant County, Texas.

Tract 2: 2.276 acres, more or less, out of the D. H. Smith Survey, A-1488, Tarrant County, Texas and being the same land described in a Warranty Deed dated February 3, 1986 from Edward N. Gilder, et ux to Patricia Marie Baines and recorded in Volume 8451, Page 1255, Official Public Records of Tarrant County, Texas,

AND WHEREAS, said description is incomplete and indefinite and the lands intended to be covered are more accurately described as follows:

**4.683 acres** of land, more or less, out of Two Tracts in the D. H. Smith Survey, A-1488

Tract 1: 2.407 acres of land, more or less, out of the D. H. Smith Survey, A-1488, Tarrant County, Texas and being the same land described in a Special Warranty Deed dated January 31, 2002 from Edward N. Gilder, as his sole and separate property to Patricia Marie Baines and recorded in Volume 15665, Page 438, Official Public Records of Tarrant County, Texas.

Tract 2: 2.276 acres, more or less, out of the D. H. Smith Survey, A-1488, Tarrant County, Texas and being the same land described in a Warranty Deed dated February 3, 1986 from Edward N. Gilder, et ux to Patricia Marie Baines and recorded in Volume 8451, Page 1255, Official Public Records of Tarrant County, Texas,

AND WHEREAS, the Lease and all rights and privileges thereunder, are now owned and held by XTO Energy Inc. (hereinafter referred to as "Lessee"), a Delaware corporation.

NOW, THEREFORE, in consideration of the premises, and for the purposes of making the said lease definite and certain in respect to the identity of the lands to be covered thereby, the undersigned Patricia Marie Baines, does hereby declare that it was and is her intention to lease for oil and gas purposes the identical tract of land last above described; and she does hereby amend said lease in respect to the description of the lands included therein, as aforesaid, and ratify and adopt the same as so amended.

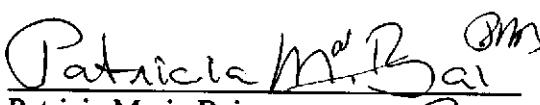
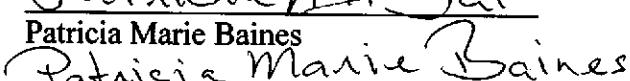
**WHEREAS**, Lessor agrees to amend the Lease in accordance with the terms hereof.

**NOW THEREFORE**, notwithstanding anything to the contrary, Lessor hereby amends the Lease to add the following provision to the end of paragraph 4 of the Lease:

Any unit formed may be amended, re-formed, or enlarged by Lessee at its election at any time and from time to time after the original forming thereof by filing an appropriate instrument of record in the public office in which the pooled acreage is located, provided the size of such unit does not exceed the size allowed under this Lease.

AND, for the same consideration recited above, Lessor does hereby adopt, ratify and confirm the Lease, and all of its provisions, except as herein modified and amended, and does hereby grant, lease, and let to the Lessee therein or its successors and assigns, any and all interest which Lessor now has, or may hereafter acquire, either by conveyance, devise, inheritance or operation of laws, and whether vested, expectant, contingent or future, in and to the Land, in accordance with each and all of the provisions contained in the Lease and as amended hereby, and the Lessor hereby declares that the Lease and all of its provisions, as amended, are binding on the Lessor and Lessee and is a valid and subsisting oil and gas lease and this agreement shall extend to and be binding upon the heirs, executors, administrators, successors, and assigns of the Lessor and Lessee.

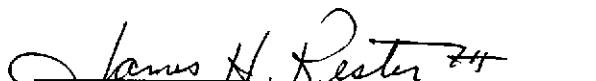
**WITNESS WHEREOF**, this Amendment is executed on the respective date of Lessor's acknowledgment below, but is effective as of the date of the Lease.

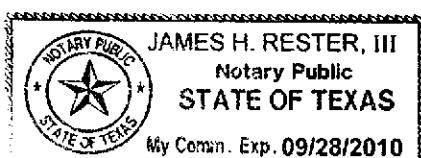
  
Patricia Marie Baines  
  
Address: 7227 Gibson Cemetery Rd.  
Mansfield, Texas 76063

#### ACKNOWLEDGMENT

STATE OF TEXAS           }  
COUNTY OF TARRANT }

This instrument was acknowledged before me on the 2<sup>nd</sup> day of October, 2008, by Patricia Marie Baines.

  
James H. Rester  
Notary Public, State of Texas



Return to: Bryson G. Kuba  
6127 Green Jacket Dr.  
Apt. # 1136  
Fort Worth, TX 76137